

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PABLO SOLIS and
ANDRES TAVERAS,
individually and on behalf of all others similarly
situated,

Plaintiffs,

– against –

53RD STREET PARTNERS LLC doing business as REMI
RESTAURANT,
ROBERTO DELLEDONNE, and
STEFANO FRITTELLA,

Defendants.

19 CV 11708 (PGG) (SLC)

AFFIRMATION IN
SUPPORT OF REQUEST
FOR CERTIFICATE OF
DEFAULT

Pursuant to 28 U.S.C. § 1746, I, Anthony P. Consiglio, an attorney admitted to
practice in this Court, declare as follows:

1. I represent the Plaintiffs in this action.
2. This action was commenced on December 20, 2019 by the filing of a
Complaint pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”),
the New York Labor Law, §§ 190 *et seq.*, §§ 650 *et seq.* (“NY Wage Law”), and the New
York Worker Adjustment and Retraining Notification Act, N.Y. Labor Law §§ 860 *et seq.*
 (“NY WARN Act”).

3. Summons issued by the Clerk of the Court were served, together with a
copy of the Complaint, on Defendants 53rd Street Partners LLC and Roberto Delledonne.
The time for these two Defendants to answer or otherwise move with respect to the
Complaint herein has expired.

4. Neither Defendant 53rd Street Partners LLC nor Defendant Roberto Delledonne is an infant or incompetent, or presently in the military service of the United States.

5. No summons was served on Defendant Stefano Frittella, and no certificate of default against him is requested.

WHEREFORE, Plaintiffs Pablo Solis and Andres Taveras request that the default of Defendants 53rd Street Partners LLC and Roberto Delledonne be noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to the plaintiffs, and that no part thereof has been paid.

Dated: March 24, 2020
New York, New York

CARY KANE LLP



By: _____
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